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SIPDIS

DEPT FOR CA/EX, CA/FPP, CA/VO/V/P (Rachel Hilton/Oliver Kinder),
CA/VO/F/P, AND EUR/SCE (MIKE FOOKS); DEPT ALSO PASS TO VIENNA FOR
DHS MARLA BELVEDERE

E.O. 12958: N/A

TAGS: [CVIS](#) [CMGT](#) [BK](#)

SUBJECT: BOSNIA: AMENDED REQUEST FOR REVISION OF THE VISA
RECIPROCITY SCHEDULE

REF: A) SARAJEVO 796, B) SARAJEVO 592

This is an action request. Please see paragraph 09.

11. SUMMARY. Post asks for the Department's review of the visa reciprocity schedule for Bosnia and Herzegovina. Specifically, post would like the Department to increase the validity of the following visa classes: A3 from 12 to 24 months, B1, B2, B1/B2, from 12 to 120 months, C1, D, C1/D from 12 to 60 months, E-1, E-2 from 12 to 60 months, G-5 from 12 to 24 months, F1, F2, J1, J2 from 24 months to 60 months, I, H-1B, H-1C, H-2A, H-2B, H-2R, H-3, H-4, L-1, L-2, M-1, M-2, O-1, O-2, O-3, P-1, P-2, P-3, P-4, Q-1, R-1, R-2 from 12 to 60 months, multiple entry. The current schedule does not reflect reciprocal requirements for American citizens entering Bosnia, does not equitably compare to visa requirements in other former Yugoslav countries, and changes in the schedule will more adequately mirror U.S. policy goals in the region. END SUMMARY.

12. The current reciprocity schedule for Bosnia and Herzegovina allows issuance of multiple-entry, twelve month validity visas for A3, B1, B2, B1/B2, C1, D, C1/D, E1, E2, G-5, H-1B, H-1C, H-2A, H-2B, H-2R, H-3, H-4, I, L-1, L-2, M-1, M-2, O-1, O-2, O-3, P-1, P-2, P-3, P-4, Q-1, R-1, R-2 categories. The schedule allows twenty four month validity visas for F, J visas. All visa categories have no issuance fee. The current reciprocity schedule for Bosnia and Herzegovina was established in 1992.

13. There are no visa requirements for U.S. citizens to enter Bosnia and Herzegovina. All U.S. citizens enter visa free and are allowed to stay in the country for up to 90 days for any purpose. However, for other nationalities, Bosnia and Herzegovina now issues five types of visas: transit, tourist, student, medical treatment visas, and business visas. Two weeks prior to expiration of the first 90 days, foreigners must apply for their temporary residence through the Ministry of Security of Bosnia and Herzegovina. Foreigners are obliged to demonstrate a reason for the extension. There are 19 defined categories for which the Bosnian government can authorize extended stays, among those are: work, study, medical treatment, family reunification, and investments. These permits allow a foreigner to remain in Bosnia for up to 12 months and they can be extended indefinitely without any requirement to leave the country. The fee for an extension of stay is 100 konvertible marks (approximately 70 USD). All foreigners must provide a police certificate from their place of residence in order to obtain an extension of stay. After five years of temporary residence in Bosnia, those interested can apply for permanent residence.

14. Bosnia remains a low fraud environment. A change in the

reciprocity schedule is unlikely to increase fraud. Additionally, Post's last validation study involving B1/B2 applicants showed an overall overstay rate of only 3%. Post recognizes that certain security concerns remain, usually associated with war criminals, pan-Balkan organized crime and radical Islamic groups. However, most of these subjects are identified and a change in the visa schedule will not alter the security profile or our efforts to prevent these individuals from entering the U.S.

15. Post's refusal rate for BIH applicants has dropped from 30% to 11% in the last seven years, and is still trending downwards. While the economic situation in Bosnia is difficult, Post believes that many of the applicants that would have been poor visa risks have already emigrated during the wartime exodus. Many of those who wish to emigrate have no need to unlawfully use the NIV because they are able to emigrate legally through relatives that departed Bosnia during and after the wartime years (1993-2002).

16. Increasing visa validity for Bosnia is a more consistent application of our visa regime across the spectrum of former Yugoslav republics. All of the other former Yugoslav republics have visa schedules permitting longer issuance. Reciprocity for the B category visa for Croatia and Macedonia is 120 months, while Serbia and Montenegro have 36 months. And, since a significant portion of Bosnian applicants are ethnically Serbian or Croatian, they are eligible, because of their ethnicity, for passports from Serbia or Croatia. According to the pre-war 1991 census, ethnic Croats numbered 17.5% of Bosnia's population, ethnic Serbs 32% of the population, and Bosnian Muslims (Bosniaks) were 43.5% of the population (the remaining 7% identified themselves as Yugoslavs). Ethnic Serbs and Croats currently make up at least one half of the

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Bosnian population. In effect, a short validity visa could drive (and has been driving) these ethnic groups to seek an "ethnic" Serbian or Croatian passport rather soliciting a visa for the less favorable visa schedule applied to a Bosnian passport.

17. A longer validity U.S. visa conforms to U.S. regional political goals. The new Bosnian biometric passport scheduled for release by the end of October 2009 will comply with European standards for moving Bosnia closer to visa liberalization with the EU, a path that ultimately leads to greater European integration and is supported by the U.S. Currently, of the former Yugoslavia, Croatia is visa free to the EU, and Macedonia, Serbia, and Montenegro are rapidly approaching that status. Given the substantial number of Bosnian citizens eligible for Croatian and Serbian passports, the biometric passport will only have value if it is accorded at a minimum the same status as that of a Croatian or Serbian passport. This would avoid visa ghettoization of a limited segment of Bosnian society and would give the Bosnian passport broader national appeal. A new biometric passport, supported by a revised visa schedule would further the U.S. government's nation (and national conscience) building goals in Bosnia by lending appeal to the passport that supersedes ethnic rivalry. The US government's provision of longer validity visas may also serve to push the Europeans to more rapidly integrate Bosnia into its liberal visa program.

18. While many Bosnians still seek economic opportunities overseas, and the specter of ethnic tensions and political divisions remain, Post believes that visa reciprocity changes will have an overall positive impact on mission goals and would reflect U.S. government reengagement with Bosnia—a theme that was emphasized in the recent Vice-Presidential visit. A change in the visa schedule would also significantly reduce consular workload by eliminating annual interviews for qualified visa candidates.

19. Action requested: If the Department concurs with the requested changes, post would like to introduce the revised reciprocity schedule on or before December 1, 2009 with an amended reciprocity table for Bosnia Herzegovina with the following changes:

- A3: 60 months, multiple (from current 12, multiple)
- B1: 120 months, multiple (from current 12 month, multiple)
- B2: 120 months, multiple (from current 12 month, multiple)
- B1/B2: 120 months, multiple (from current 12 month, multiple)

-C1: 60 months, multiple (from current 12 months, multiple)
-D: 60 months, multiple (from current 12 months, multiple)
-C1/D: 60 months, multiple (from current 12 months, multiple)
-E1: 60 months, multiple (from current 12 months, multiple)
-E2: 60 months, multiple (from current 12 months, multiple)
-F1: 60 months, multiple (from current 24 months, multiple)
- F2: 60 months, multiple (from current 24 months, multiple)
-G-5: 24 months, multiple (from current 12 months, multiple)
-H-1B: 60 months, multiple (from current 12 months, multiple)
-H-1C: 60 months, multiple (from current 12 months, multiple)
-H-2A: 60 months, multiple (from current 12 months, multiple)
-H-2B: 60 months, multiple (from current 12 months, multiple)
-H-2R: 60 months, multiple (from current 12 months, multiple)
-H-3: 60 months, multiple (from current 12 months, multiple)
-H-4: 60 months, multiple (from current 12 months, multiple)
-I: 60 months, multiple (from current 12 months, multiple)
-J-1: 60 months, multiple (from current 24 months, multiple)
- J-2: 60 months, multiple (from current 24 months, multiple)
-L-1: 60 months, multiple (from current 12 months, multiple)
-L-2: 60 months, multiple (from current 12 months, multiple)
-M-1: 60 months, multiple (from current 12 months, multiple)
-M-2: 60 months, multiple (from current 12 months, multiple)
-O-1: 60 months, multiple (from current 12 months, multiple)
-O-2: 60 months, multiple (from current 12 months, multiple)
-O-3: 60 months, multiple (from current 12 months, multiple)
-P-1: 60 months, multiple (from current 12 months, multiple)
-P-2: 60 months, multiple (from current 12 months, multiple)
-P-3: 60 months, multiple (from current 12 months, multiple)
-P-4: 60 months, multiple (from current 12 months, multiple)
-Q-1: 60 months, multiple (from current 12 months, multiple)
-R-1: 60 months, multiple (from current 12 months, multiple)
-R-2: 60 months, multiple (from current 12 months, multiple)

ENGLISH